

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GEORGE CLARK and JUDITH ANN
CLARK,

Plaintiffs,

v.

BHP COPPER, INC., et al.,

Defendants.

NO. C10-1058 TEH

ORDER SETTING BRIEFING
AND HEARING SCHEDULE ON
MOTION TO REMAND

The Court construes the March 15, 2010 letter brief filed by Plaintiffs George Clark and Judith Ann Clark as a motion to remand and a request to shorten time. A jury trial is already underway in this case in state court, but the court has stayed proceedings until April 7, 2010, so that Plaintiffs' remand motion can be resolved. It appears that the motion may have merit, and this Court also does not wish to unduly delay proceedings in state court if this case is ultimately remanded. Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiffs' motion to remand shall be heard on shortened time.

2. Defendant Honeywell International Inc., the sole removing defendant, shall file an opposition or statement of non-opposition to the motion on or before **March 22, 2010**.

3. Plaintiffs shall file a reply on or before **March 25, 2010**.

4. The matter shall be heard on **April 5, 2010, at 10:00 AM**.

IT IS SO ORDERED.

Dated: 03/15/10



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT